



Atty. Dkt. No. 040268-0161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric REYNOLDS
Title: CALCIUM PHOSHOPEPTIDE COMPLEXES
Appl. No.: 09/380,738
Filing Date: 12/06/1999
Examiner: David Lukton
Art Unit: 1653

ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

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JUL 18 2003

TECH CENTER 1600/2900

Sir:

Pursuant to 37 C.F.R. §1.27 (c)(1), Applicant hereby asserts entitlement to small entity status in the above-identified application.

Respectfully submitted,

Date

17 July 2003

By

Stephen A. Bent

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768



Atty. Dkt. No. 040268-0161

#28
Kellie
7/29/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric Reynolds
Title: CALCIUM PHOSPHOPEPTIDE COMPLEXES
Appl. No.: 09/380,738
Filing Date: December 6, 1999
Examiner: D. Lukton
Art Unit: 1653

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JUL 18 2003

TECH CENTER 1600/2900

REQUEST FOR REFUND OF EXCESS LARGE ENTITY FEES

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR § 1.26, Applicant hereby requests refund of the fees paid in excess of the small entity fee for the above-identified application.

FACTS:

1. The above-identified application was filed on December 6, 1999 and, by virtue of assignment by the inventors, was assigned to The University of Melbourne and Victorian Dairy Industry Authority.
2. By virtue of assignment, the Victorian Dairy Industry Authority subsequently transferred ownership to The University of Melbourne.
3. As sole owner of the above-identified application, The University of Melbourne qualifies for the payment of reduced fees pursuant to 37 CFR 1.27.
4. Accompanying this request is an assertion of small entity status.

Repln. Ref: 07/30/2003 GDUCKETT 0011270900
DAH:190741 Name/Number:09380738
FC: 9204 \$205.00 CR

5. On July 14, 2003, Applicant filed a response, along with a petition and two month extension fee, to a non-final office action dated February 12, 2003.

6. Applicant now request a refund of the excess fees submitted on July 14, 2003.

REMARKS

Since the above-identified application now qualifies for payment of reduced fees, a refund is requested in the amount of \$205.

The request is being made well within the prescribed period for a refund as set forth in 37 CFR 1.26, since the response and extension fee were filed on July 14, 2003.

Applicant requests that the excess extension fee, \$205, be refunded in the form of a check or credited to Deposit Account No. 19-0741. This paper is being submitted in duplicate for the convenience of the Finance Branch.

Respectfully submitted,

Date

17 July 2003

By

S. A. Bent

FOLEY & LARDNER

Customer Number: 22428



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